

**COMBINED DECLARATION AND POWER OF  
ATTORNEY FOR JOINT INVENTORS**

1. As below named joint inventors, we hereby declare that our addresses and citizenship are as stated below next to our names. We believe we are the original, first, and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**HEIGHT-RELATED GENE**

the specification of which:

- is attached; or  
 was filed on \_\_\_\_\_ as Serial No. \_\_\_\_\_.

2. We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.
3. We acknowledge the duty to disclose information which is material to the patentability of this application as defined in 37 C.F.R. 1.56.
4.  Because this is a continuation-in-part application, we acknowledge our duty to disclose to the Office all information known to us to be material to the patentability as defined in 37 C.F.R. §1.56 which has become available between the filing date of the prior application and the filing date of this continuation-in-part application.
5.  We hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate or §365(a) of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by us on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Country	Application Serial No.	Date of Filing	Priority Claimed under 35 U.S.C. §119	
GB	0209640.2	26 April 2002	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
GB	0215188.4	1 July 2002	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			<input type="checkbox"/> Yes	<input type="checkbox"/> No

6.  We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), §365(c) of any PCT international application designating the United States of America, and §119(e) of any United States provisional application(s) that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior applications(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as defined in Title 37 C.F.R. §1.56 which became available between the filing date of the prior application(s) and the filing date of this application:

Application Serial No.	Filing Date	Status
PCT/EP03/04546	25 April 2003	Pending

7. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.
8. As named inventors, we hereby appoint the registered patent practitioners at the law firm of Wiggin and Dana LLP associated with Customer Number 27267:

**\*27267\***  
PATENT TRADEMARK OFFICE

to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

9. Please send all correspondence to the above-mentioned Customer Number, namely "Attention: Patent Docketing, Wiggin and Dana LLP, One Century Tower, P.O. Box 1832, New Haven, CT 06508-1832."
10.  As named inventors, we hereby appoint the attorneys designated in paragraph 8 as our domestic representative for the invention identified in paragraph 1 with full power of substitution and revocation, to transact all business in the U.S. Patent and Trademark Office and in the U.S. courts in connection therewith. They are also designated as domestic representatives on whom process or notice of proceedings affecting the application or patents issuing therefrom may be served.

- We hereby authorize the U.S. attorneys designated in paragraph 8 to accept and follow instruction from Withers & Rogers as to any actions to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and us. In the event of a change in the person from whom instructions may be taken, we will notify the U.S. attorneys.

## 11. Inventor Information:

Full name of first joint inventor: Gudrun A. Rappold

Inventor's signature \_\_\_\_\_

Date: \_\_\_\_\_ Citizenship: Germany

Residence: \_\_\_\_\_

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69120 Heidelberg, Germany

Full name of second joint inventor: Stefan Kirsch

Inventor's signature \_\_\_\_\_

Date: \_\_\_\_\_ Citizenship: Germany

Residence: Fenchelstrasse 5, 69493 Hirschberg, Germany

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This is the end of the listing of inventors.

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